IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.379 OF 2007

Kiran Santosh Umale. ...Petitioner.
Vs.
Santosh Nagraj Umale. ...Respondent.
....
Ms. Rashmi Gajwani i/b. Mr.Ganesh Gole for the Petitioner.
None for the Respondent.
.....

CORAM :DR.D.Y.CHANDRACHUD, J.
July 4, 2007.

P.C.:

The Petitioner instituted a petition for divorce under Section 13(1)(a)of the Hindu Marriage Act, 1955 for divorce on the ground of cruelty. The Petition was filed on 12th September 2006 within three months of the marriage which took place on 16th June 2006. The Petitioner filed an application under Section 14 for permission to present petition before the expiry of one year of the date of the marriage. The proviso to sub-section (1) of Section 14 contemplates that the Court may grant permission for the institution of the petition within one year if the case is one of exceptional hardship or

exceptional depravity to the petitioner. Neither of these two grounds were made out in the petition. Hence, the rejection of the application cannot be faulted. As a matter of fact, one year has elapsed from the date of the marriage. It would, therefore, be open to the Petitioner to take necessary steps in accordance with law for pursuing her grievance. Subject to the aforesaid, the Writ Petition is dismissed.

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